



## FSMB Board Attorneys Workshop

November 8-9, 2018  
Omni Austin Hotel Downtown  
Austin, TX

### Agenda

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#### **THURSDAY, NOVEMBER 8, 2018**

- 8:00 – 8:30 a.m.           **Check-in/Breakfast**
- 8:30 – 9:00 a.m.           **Welcome and Introductions**  
Kelly C. Alfred, MS, Senior Director, Education Services, Federation of State Medical Boards  
Stephen ‘Brint’ Carlton, JD, Executive Director, Texas Medical Board
- 9:00 – 10:00 a.m.       ***Update from the FSMB: Current Initiatives & Legislative Efforts***  
This session will highlight the current initiatives, as well as legislative efforts, undertaken by the FSMB as it works with and for the state medical board community to improve the quality, safety and integrity of health care.  
**Speaker:** Kandis McClure, JD, Director, Federal Advocacy & Policy, Federation of State Medical Boards
- 10:00 – 10:15 a.m.       **Break**
- 10:15 – 11:30 a.m.       ***Litigating Sexual Boundary Cases***  
Recent medical accounts about boundary violations in physician-patient interactions have spurred new initiatives and approaches intended to improve reporting of information and early-warning measures to protect patients. During this session, panelists will present and discuss different types of sexual boundary cases they’ve prosecuted.  
**Speakers:**  
Brian Blankenship, JD, Deputy General Counsel, North Carolina Medical Board  
Forrest Pasanski, JD, Enforcement Division Director, Michigan Department of Licensing and Regulatory Affairs  
**Moderator:** Reese Hays, JD, Disciplinary Counsel, Kansas Board of Healing Arts
- 11:30 a.m. – 12:30 p.m.   **Lunch (provided)**
- 12:30 – 2:00 p.m.       ***Best Practices: Preparing Expert Witnesses and Reviewers***  
This session will highlight practical tips and principles on effectively identifying, recruiting and training expert witnesses and reviewers.

**Speakers:**

Patrick F. Balestrieri, JD, Board Attorney, North Carolina Medical Board  
Thomas W. Mansfield, JD, Chief Legal Officer & Legislative Liaison, North Carolina Medical Board

Christopher Palazola, JD, Manager Litigation, Texas Medical Board

**Moderator:** Kathleen Selzler Lippert, JD, Executive Director, Kansas Board of Healing Arts

2:00 – 2:15 p.m.

**Break**

2:15 – 4:00 p.m.

**State of the States**

During this interactive session, attendees will have the opportunity to engage with their colleagues on pressing topics and issues pertinent to state medical board attorneys. Participants will engage in conversations about legislative issues, share their experiences in health care regulation, and identify common themes that arose from the discussions.

**Facilitators:**

Darra J. Coleman, JD, Chief Advice Counsel, South Carolina Dept of Labor Licensing & Regulation

Michael Farrell, JD, Policy Development Manager, Washington Medical Quality Assurance Commission

5:00 - 6:00 p.m.

**FSMB Reception**

**FRIDAY, NOVEMBER 9, 2018**

8:00 – 8:30 a.m.

**Check-in/Breakfast**

8:30 – 9:30 a.m.

***The Ethical Obligations of Attorneys and Physicians in Medical Error Disclosure and Resolution -- Ethics Session***

During this session, the speaker will discuss the ethical responsibilities of attorneys and physicians following medical error. Medical board attorneys must keep current on emerging issues in health care and the ethical obligations that arise as a result. Communication and resolution programs are an example of innovative initiative to improve the health care system and enhance patient safety. These programs require immediate and full disclosure to patients, raising new ethical issues for both attorneys and physicians.

**Speaker:** William M. Sage, MD, JD, Chair, School of Law, The University of Texas at Austin

**Moderator:** Michael Farrell, JD, Policy Development Manager, Washington Medical Quality Assurance Commission

9:30 – 9:45 a.m.

**Break**

9:45 – 10:45 a.m.

***The National Practitioners Data Bank (NPDB): A Resource to Improve Patient Safety***

This session will provide an overview of the NPDB, including the laws and regulations that govern the NPDB, reporting and querying requirements, system enhancements and updates on compliance strategies.

**Speaker:** Melissa Moore, MS, MBA, Health Resources & Services Administration (HRSA)

**Moderator:** Frank B. Meyers, JD, Executive Director, District of Columbia Board of Medicine

10:45 – 11:00 a.m.

**Break**

11:00 – 12:00 p.m.

***Telemedicine: Detailed Considerations***

During this session, attendees will hear about emerging telehealth technologies, new telehealth-based models of care, the use of telehealth to improve continuity of care, and what it all means for policy makers and regulators.

**Speaker:** Mari Robinson, JD, Director of Telehealth, University of Texas Medical Branch

**Moderator:** Thomas W. Mansfield, JD, Chief Legal Officer & Legislative Liaison, North Carolina Medical Board

12:00 – 1:00 p.m.

**Lunch (provided)**

1:00 – 2:00 p.m.

***DEA Investigations: Cases, Current Trends and Updates***

The nation's opioid prescription abuse and misuse crisis has been a top priority for dozens of public sector agencies and organizations, including the Centers for Disease Control and Prevention, the Office of National Drug Control Policy and the state medical board community. During this session, a federal official will discuss the widespread efforts at the federal level to combat this crisis, and the impact they've had on DEA investigations.

**Speaker:** Jason E. Capstraw, Staff Coordinator, Pharmaceutical Investigations Section, Drug Enforcement Administration (DEA)

**Moderator:** Darra J. Coleman, JD, Chief Advice Counsel, South Carolina Dept of Labor Licensing & Regulation

2:00 p.m.

**Adjournment**